

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE PIUS C.KURIAKOSE

FRIDAY, THE 8TH DECEMBER 2006 / 17TH AGRAHAYANA 1928

WP(C).No. 32658 of 2006(K)

PETITIONER:

K.K.RAJAN, (DRIVER, CHENGANNOOR,
RETIRED ON 28-2-2005) KOTTIPALLIL HOUSE,
VELOOR P.O., CHENGANNOOR.

BY ADV. SRI.K.P.RAJEEVAN

RESPONDENTS:

KERALA STATE ROAD TRANSPORT CORPORATION,
REPRESENTED BY ITS MANAGING DIRECTOR,
TRANSPORT BHAVAN, FORT, THIRUVANANTHAPURAM.

BY SC SRI.JOHNSON P.JOHN

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION
ON 08/12/2006, THE COURT ON THE SAME DAY DELIVERED THE
FOLLOWING:

PIUS C.KURIAKOSE, J.

W.P.(C)NO. 32658 of 2006

Dated this 8th day of December, 2006

JUDGMENT

It is submitted by Sri.K.P.Rajeevan, the learned counsel for the petitioner that since the service of the petitioner in the KSRTC was only 14 years, the amounts which would be totally due to the petitioner on account of DCRG and Commuted Value of Pension will be around Rupees One Lakh. Exts.P2 and P2(a) will show that the petitioner's daughter is getting married on the 21st January 2007. The petitioner contends that he is badly in need of money for conducting his daughter's marriage. The petitioner retired only on 28.2.2005. As per the guidelines which have been prepared on the basis of the judgment in W.A. No. 289/2006, the petitioner will have to wait for some more time for his turn to come. However, considering the principles laid down by a subsequent Division Bench of this court in W.A. No.1775/2004, I am of the view that there is a justification in this case for releasing the retiral benefits to the petitioner out of turn. Under these circumstances, the writ petition will stand disposed of with the following directions:

2. The respondent shall pay all the amounts due to the petitioner on account of his DCRG, Commuted Value of Pension and also on account Staff Welfare Fund at the earliest and at any rate before 15th January 2006

PIUS C.KURIAKOSE
Judge

dpk